

**Before the State of South Carolina
Department of Insurance**

In the Matter of:

Marika L. Merritt

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SCDOI Docket # 06-0622

**ORDER REVOKING
NON-RESIDENT PRODUCER
LICENSE**

This matter comes before the South Carolina Department of Insurance (the Department), upon application of David E. Belton, Esquire, Senior Associate General Counsel for the Department, requesting the revocation of Marika L. Merritt (Producer) non-resident producer's license.

After careful review of the evidence presented the Department issues the following decision:

FINDINGS OF FACT

Producer is currently a South Carolina non-resident producer.

In the State of South Carolina, the producer failed to timely disclose a criminal conviction record on her application for licensure.

In the State of South Carolina, the producer failed to respond to the notice of investigations sent by the Department by certified mail, after signing receipt for them and contacting the Department by telephone.

In the State of South Carolina, the producer failed to surrender her non-resident producer license after verbally consenting to surrender it.

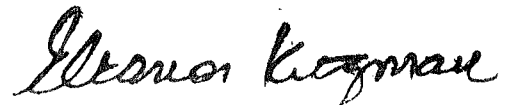
CONCLUSIONS OF LAW

Pursuant to S.C. Code §38-43-130 (A) (C) (1): (A) "The director or his designee may place on probation, revoke, or suspend a producer's license after ten days' notice or refuse to issue or reissue a license when it appears that a producer has been convicted of a crime involving moral turpitude, has violated this title or any regulation promulgated by the department, or has wilfully deceived or dealt unjustly with the citizens of this State." (C) "The words 'deceived or dealt unjustly with the citizens of this State' include, but are not limited to, action or inaction by the producer as follows:" (1) "providing incorrect, misleading, incomplete, or materially untrue information in the license application." Because Marika L. Merritt failed to disclose a conviction of Resisting Arrest/Opposing an Officer without violence, during her initial process, the Department now moves to revoke her non-resident producer license.

THEREFORE, it is ordered that Marika L. Merritt's, non- resident producer license shall be revoked thirty (30) days from the date of this order, and no license issued through the State of South Carolina Department of Insurance is to be issued to her, unless Marika Merritt requests in writing within said thirty (30) day period a public hearing before the South Carolina Administrative Law Court.

It is FURTHER ORDERED that the National Association of Insurance Commissioners be immediately be notified of this order.

This South Carolina Department of Insurance administrative disciplinary order is a public record subject to the disclosure requirements of the State of South Carolina's *freedom of Information Act*, S.C. Code Ann. §§30-4-10, et seq. (1991 and Supp. 2005). Nothing contained within this administrative disciplinary order should be construed to limit or to deprive any person of any private right of action under the law. Nothing contained within this administrative disciplinary order should be construed to limit, in any manner, the criminal jurisdiction of any law enforcement or judicial officer. Nothing contained within this administrative disciplinary order should be construed to limit the statutory duty of the Director of Insurance, exercised either directly or through the Department of Insurance, to "report to the Attorney General or other appropriate law enforcement officials criminal violations of the law relative to the business of insurance or the provisions of this title which he considers necessary to report." S.C. Code Ann. §38-3-110(3) (Supp. 2005).



Eleanor Kitzman
Director of Insurance

Dated this 21 day of January 2007